# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF ILLINOIS

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not che	A limit on the amount of	e void if set out later in the p	ctions 3E, 3F, or 4B, which		if both boxes are
not				inciuded" or	
		of particular importance. <b>Del</b> all of the following items. <u>I</u>	btor(s) must check one box o		state whether or
OR WI	RDER OF THIS COURT, ILL BE DISBURSED TO (	, ALL AMOUNTS RECEI OTHER CREDITORS PUR	ED BY FED. R. BANKR. P. VED BY THE TRUSTEE F SUANT TO THE ORDER O y your lien if you do not objec	FOR THE UI	NFILED CLAIM TION.
fort If th has deb	th in this Plan. Even if the P he debtor is not represented been filed and with a copy otor.	Plan provides for payment, no by counsel, any party filing a of the claim. Any pleadings	nust file a timely Proof of Cla payment will be made unless a proof of claim must serve the that are filed in relation to the	Proof of Clai debtor with no claim also mu	m is timely filed.  otice that the claim st be served on the
opp with 341	posing any provision of this hout further notice unless w	Plan as set forth below mus written objection is filed and	this plan carefully and discuss at file a timely written objection served within 21 days after the must be filed and served with	n. This Plan e conclusion of	may be confirmed of the 11 U.S.C. §
			of the Court's Chapter 13 Procisis available at www.ilsb.uscour		al are incorporated
	<u>C</u>	<u>HAPTER 13 PLAN AND N</u>	OTICE OF TIME TO OBJE	<u>CT</u>	
	Deb	) tor(s) )	(Changes must be <u>u</u> Limited Service		
	Jillian Evette May	)	X Original Chapter □ Amended Plan N	Jumber	
In r		<u> </u>	Case No. 17-40308		

Wage Order Required: X Yes  $\square$  No  $\square$  ePay  $\square$  TFS (Must list employer information)

**Grand Total Payments:** \$96,355.80

The Debtor from whose check the payment is deducted: Jillian May\_

Employer's name, address, city, state, phone:_	Centene Management Company LLC, 7700 Forsythe Blvd, St. Louis
MO 63105, 314-236-8371	

#### IMPORTANT PAYMENT INFORMATION

NOTE: Plan payments to the Trustee must commence within 30 days of the filing of the petition. The Debtor must make direct payments to the Trustee by money order or cashier's check until the employer deduction begins. Include your name and case number on your money order or cashier's check. Contact the Trustee for the payment mailing address. In addition, debtors may need to pay their tax refunds, personal injury proceeds and other such funds to the trustee.

# **ORDER OF DISTRIBUTION**

The following order of priority shall be utilized with respect to all payments received under the Plan terms:

- 1. The Trustee's fees for each receipt, the percentage of which is fixed by the U.S. Trustee;
- 2. Any unpaid portion of the filing fee;
- 3. Notice fees equal to \$.50 per page of the Plan, multiplied by the number of creditors listed on the debtor's mailing matrix;
- 4. Ongoing mortgage payments on real estate;
- 5. Allowed administrative expenses;
- 6. Attorney's fees and other secured creditors as set forth in the Chapter 13 Procedures Manual;
- 7. Priority creditors as set forth in the Plan;
- 8. Any special class of unsecured creditors as set forth in the Plan; and
- 9. General unsecured creditors.

#### 2. ADMINISTRATIVE EXPENSES

Administrative Creditor	Estimated Amount of Claim

### ATTORNEY'S FEES

Attorney name:	CEANO	DATIT
Afforney name:	SHAN (	PALII

X Flat fee through Plan \$3733 (\$267 PRE-FILING) **OR** 

☐ The Debtor's counsel elects to be paid on an hourly basis and will file a fee application(s) for approval of fees. No fees shall be disbursed until a fee application is approved by the Court. However, the Trustee shall reserve a total of \$4,500.00 for payment toward such application, pursuant to the Order of Distribution and the Chapter 13 Procedures Manual.

# 3. <u>REAL ESTATE - CURING DEFAULTS AND MAINTAINING PAYMENTS</u>

Post-petition payments shall be made by the Trustee if (i) a pre-petition default exists; (ii) a post-petition, preconfirmation default occurs; or (iii) a post-confirmation default arises that cannot be cured by the Debtor within six months. Otherwise, post-petition payments may be made directly by the Debtor to the creditor. Where the Trustee is disbursing the ongoing payments, the first mortgage payment to be disbursed will be that which becomes due in the second month after the month in which the petition is filed. For example, if the petition was filed in January, the first mortgage payment is due in March. In this situation, a mortgage holder should file a "pre-petition" claim that includes both the pre-petition arrearage and all post-petition contractual payments not disbursed by the Trustee as set forth above. Similarly, a Debtor must include the amount of any such payment(s) in the pre-petition arrearage calculation. (See the Chapter 13 Procedures Manual for examples and further instruction.)

For ongoing payments brought in due to a post-petition default, payments by the Trustee are to begin on the first due date after the month in which the amended or modified Plan is filed, or as otherwise ordered by the Court. All payments received from the Trustee must be credited by the creditor as the Plan directs. Pursuant to 11 U.S.C. § 524(i), ongoing post-petition mortgage payments tendered under the Plan by either the Trustee or the Debtor shall be credited by the holder and/or servicer of said claim only to such payments and may not be used for any other purpose

without prior approval of the Court. Pursuant to 11 U.S.C. § 524(i), payments for pre-petition mortgage arrearages tendered under the Plan by the Trustee shall be credited by the holder and/or servicer of said claim only to such arrearages and may not be used for any other purpose without prior Court approval

The Chapter 13 Procedures Manual sets forth the terms concerning notice of payment changes; notice of fees, expenses and charges; form and content of said notice; determination of fees, expenses or charges; notice of final cure payment; response to notice of final cure payment; determination of final cure and payment; and the consequences of the failure to notify. If a conflict arises between the terms set forth in the Chapter 13 Procedures Manual and any bankruptcy rule, the federal and local bankruptcy rule(s) shall supersede the Manual.

### A) Payment of ongoing post-petition mortgage payments by the Debtor is as follows:

Creditor	Lien No.	Property Address	Estimated Monthly Payment	Payment Start Date	Payment End Date
none					

# B) Payment of ongoing post-petition mortgage payments by the Trustee is as follows:

Creditor	Lien No.	Property Address	Estimated Monthly Payment	Payment Start Date	Payment End Date
Nationstar Mortgage	1	908 S. 26 <sup>th</sup> St., Mt Vernon IL	735.14	May 1, 2017	April 1, 2022

The estimated monthly payment amount referenced in Part 3A and 3B above may change based upon Proof(s) of Claim filed and/or subsequent Notices of Mortgage Payment Change.

# C) Payment of pre-petition arrearages; first post-petition ("limbo") payment; and/or post-petition arrearages, arising from a default in mortgage payments that were being made directly by the Debtor to the creditor, are as follows:

Creditor	Lien No.	Property Address	Estimated Claim	Type of Payment (i.e. Limbo, Pre or Post- petition)
Nationstar Mortgage	1	908 S. 26 <sup>th</sup> St., Mt Vernon IL	\$20,350.00	Pre-petition arrearage

# D) Real Estate Secured Claims which will be paid in full:

Creditor	Lien No.	Property Address	Estimated Claim	Interest Rate
none				

# THE FOLLOWING PLAN PROVISION WILL BE EFFECTIVE ONLY IF THERE IS A CHECK IN THE BOX TITLED "INCLUDED" IN SECTION I ABOVE.

# E) Residential Real Estate Secured Claims to which 11 U.S.C. § 506 Valuation is Applicable ("Lien Stripping"):

The Debtor will file a separate adversary proceeding to avoid the following wholly unsecured mortgages. Claims listed in this subsection are debts secured by real estate on the *Debtor's primary residence*. These claims are being modified pursuant to 11 U.S.C. § 1322(b)(2). The real estate mortgage in question is not protected by the anti-modification provision of Section 1322(b)(2) either because the value of the real estate minus any priority liens indicates no value to support a secured claim under 11 U.S.C. § 506(a) or that the loan has matured pursuant to 11 U.S.C. § 1322(c). (The appropriate section is indicated below.) That pursuant to 11 U.S.C. § 1325(a)(5)(B) the creditor will continue to retain the lien on the residential real estate until the Debtors receive a discharge pursuant to Section 1328 of the Bankruptcy Code. Upon the entry of the order of discharge the lien is voided. These claims will be paid either the value of the secured property as stated below or the secured amount of that claim as listed on the Proof of Claim, whichever is less, with interest as provided below. Any portion of a claim that exceeds the value of the secured property will be treated as an unsecured claim without the necessity of an objection.

Creditor	Property address	Value of Real Estate After Priority Liens are Deducted	Estimated Claim	Interest Rate	Estimated Monthly Payment	Code Section Relied Upon [1322(b)(2) or 1322(c)]
none						

# THE FOLLOWING PLAN PROVISION WILL BE EFFECTIVE ONLY IF THERE IS A CHECK IN THE BOX TITLED "INCLUDED" IN SECTION I ABOVE.

# F) Real Estate Secured Claims to which 11 U.S.C. § 506 Valuation is Applicable ("Cram Down Claims"):

Claims listed in this subsection are debts secured by real estate that is *not the Debtor's primary residence*. These claims will be paid either the value of the secured property as stated below or the secured amount of that claim as listed on the Proof of Claim, whichever is less, with interest as provided below. Any portion of a claim that exceeds the value of the secured property will be treated as an unsecured claim without the necessity of an objection.

Creditor	Property Address	Value (after deducting all senior liens)	Estimated Claim	Interest Rate	Estimated Monthly Payment
none					

**G) Real Estate Property Tax Claims shall be paid as follows**: To the extent that taxes are due or will become due, they will be paid directly by the Debtor or pursuant to any applicable note and mortgage on the property.

# 4. <u>SECURED CLAIMS AND VALUATION OF COLLATERAL UNDER 11 U.S.C. SECTION 506</u>

# A) Secured Claims to which 11 U.S.C. § 506 Valuation is NOT Applicable ("910 Claims"):

Claims listed in this subsection are debts secured by a purchase-money security interest in a personal motor vehicle acquired for the personal use of the debtor, incurred within the 910 days preceding the date of the filing of the bankruptcy or debts secured by a purchase-money security interest in "any other thing of value" incurred within one year preceding the date of the filing of the bankruptcy. These claims will be paid in full with interest as provided below.

Craditan		Estimated	Interest	Estimated
Creditor	Collateral	Claim	Rate	Monthly Payment

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none		

# THE FOLLOWING PLAN PROVISION WILL BE EFFECTIVE ONLY IF THERE IS A CHECK IN THE BOX TITLED "INCLUDED" IN SECTION I ABOVE.

### B) Secured Claims to which 11 U.S.C. § 506 Valuation is Applicable ("Cram Down Claims"):

Claims listed in this subsection are debts secured by personal property *not* described in the immediately preceding paragraph of this Plan. These claims will be paid either the value of the secured property as stated below or the secured amount of that claim as listed on the Proof of Claim, whichever is less, with interest as provided below. Any portion of a claim that exceeds the value of the secured property will be treated as an unsecured claim without the necessity of an objection.

For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below.

Creditor	Collateral	Value	Estimated Claim	Interest Rate	Estimated Monthly Payment
Regional Acceptance	2013 Volkswagen Jetta	\$9,305.00	\$14,296.00	5.00%	\$300

#### C) Surrender of Property:

This section allows for the surrender of collateral. The Debtor surrenders any and all right, title and interest in the following collateral. If the creditor believes that it may be entitled to a deficiency claim under applicable law, then the secured creditor must file its secured claim before the non-governmental claims bar date. Within 90 days following the claims bar date, the secured creditor shall file an amended Proof of Claim indicating the unsecured deficiency balance (if any), unless an extension is approved by the Court. Any objection to a timely filed deficiency claim shall be filed within 45 days of the date the deficiency claim was filed, or the same is deemed allowed. Absent leave of Court, deficiency claims filed outside of this 90-day period (or any extension granted by the Court) are deemed disallowed without action by any party. Upon entry of the Order lifting the automatic stay, the Debtor must reasonably cooperate with the creditor in either making the collateral available for pickup or in supplying information of the collateral's last known location.

□ The debtor(s) elect to surrender to each creditor listed below the collateral that secured the creditor's claim. The debtor(s) request that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects.

Creditor	Collateral Surrendered	Estimated Monies Previously Paid by the Trustee
none		

#### 5. SEPARATELY CLASSIFIED CLAIMS

Creditor	Collateral	Secured/ Unsecured	Estimated Claim	Interest Rate	Paid By
none					

### 6. <u>EXECUTORY CONTRACTS AND UNEXPIRED LEASES</u>

All executory contracts and unexpired leases are *rejected*, except the following which are assumed:

# A) Payment of executory contracts and unexpired leases directly by the Debtor is as follows:

Creditor	Collateral	Monthly Payment	# of Payments Remaining
none			

# B) Payment of arrearages by the Trustee is as follows:

Creditor	Collateral	Address	Est. Claim	Int. Rate	Estimated Monthly Payment
none					

Since the claims in Part 3E, 3F, 4A, 4B and 6B are based on the allowed claim amount, the estimated monthly payment in those sections is provided by the Debtor for reference only.

#### 7. PRIORITY CLAIMS

# A) Domestic Support Obligations:

The Debtor is required to pay all post-petition domestic support obligations directly to the holder of the claim and not through the Chapter 13 Plan.

1. Name of Debtor owing a domestic support obligation:

DSO Claimant Name	Address, City, State and ZIP	Estimated Arrearages	Is DSO Current? [Y or N]
none			

# B) Domestic Support Obligations Assigned to or Owed to a Governmental Unit Under 11 U.S.C. § 507(a)(1)(B):

Government Entity	Estimated Arrearages	Estimated Amount to be Paid	State Agency Case Number
none			

# C) Secured Income Tax Claims and Priority Claims Under 11 U.S.C. § 507:

All allowed secured tax obligations shall be paid in full by the Trustee as set forth herein. All allowed priority claims shall be paid in full by the Trustee as set forth herein, unless the creditor agrees otherwise:

Creditor	Priority <b>OR</b> Secured (Must list the classification)	Estimated Claim Amount	Interest Rate (If Any)
none			

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9 LONG TERM DE	DTC DAID DIDE	CTI V DV	THE DEPTOR OR	CO DERTOR TO	THE CRENIT	VO P
8. LONG-TERM DE  Creditor	Collatera		Is there a Co-Debtor? [Y or N]	Estimated Claim Amount	Monthly Payment	Number of Payments Remaining
none						Temaming
THE FOLLOWING F				ONLY IF THERI	E IS A CHECK	K IN THE BOX
9. AVOIDANCE OF	<u>LIENS</u>					
The Debtor will file a s liens that impair exemp entry of an order avoidi	tions. Until such	time as a	motion is filed, the T	rustee shall make	no disbursemen	ts thereon. Upon
Credito	r	Collateral		Amount of Lien to be Avoided		
Personal Finance Co		Real Est	Real Estate: 908 S. 26 <sup>th</sup> St., Mt Vernon IL		\$1,415.00	
THE FOLLOWING H				ONLY IF THER	E IS A CHECK	X IN THE BOX
10. NONSTANDARD	PLAN PROVISIO	<u>ONS</u>				
Under Bankruptcy Rule not otherwise included void.						
11. <u>UNSECURED CL</u> The minimum amount to or □ 100%.		ay to all cl	asses of allowed non-	priority unsecured	l claims is	\$0.00

# 12. POST PETITION CLAIMS

Post-petition claims shall not be paid by the Trustee unless the Debtor amends the Plan to specifically address such claims. Absent such an amendment, the Trustee shall not disburse any monies on said claims and these debts will not be discharged.

# 13. LIEN RETENTION

With respect to each allowed secured claim to be paid in full through the Plan, other than mortgage or long-term debts, the

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holder of such claim shall retain the lien securing its claim until the earlier of (i) the payment of the underlying debt determined under non-bankruptcy law; or (ii) entry of the discharge order under 11 U.S.C. § 1328.

# 14. PROOF OF LIEN PERFECTION

Any individual and/or entity filing a secured claim must provide the Chapter 13 Trustee, the Debtor, and Debtor's counsel with proof of lien perfection at the time its claim is filed and shall attach such documentation to its Proof of Claim pursuant to Bankruptcy Rule 3001.

#### 15. VESTING OF PROPERTY OF THE ESTATE

Property of the estate shall revest in the Debtor upon confirmation of the Debtor's Plan, subject to the rights, if any, of the Trustee to assert a claim to additional property of the estate acquired by Debtor post-petition pursuant to 11 U.S.C. § 1306.

#### 16. PAYMENT NOTICES

Creditors in Section 3 of this Plan (whose rights are not being modified) and in Section 6 of this Plan (Assumed Executory Contracts/Unexpired Leases) may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.

#### 17. OBJECTIONS TO CLAIMS

Absent leave of Court, any objection to a timely filed general unsecured claim shall be filed within 45 days following the expiration of the claims bar date for that claim. Objections to secured and/or amended claims shall be filed within 45 days from the applicable claims bar date or within forty-five 45 days from the date of filing of the claim, whichever is later.

#### 18. STAY RELIEF

Notwithstanding any provision contained herein to the contrary, distribution to a secured creditor(s) who obtains relief from the automatic stay will terminate immediately upon entry of an Order lifting or terminating the stay, except to the extent that an unsecured deficiency claim is subsequently filed and allowed. Absent an Order of the Court, relief from the automatic stay shall also result in the Trustee ceasing distribution to all junior lien holders.

#### 19. DEBTOR REFUNDS

Upon written request of the Debtor or Debtor(s)' counsel, the Trustee is authorized to refund to the Debtor, without Court approval, any *erroneous* overpayment of *regular* monthly payments received during the term of the Plan that have not been previously disbursed.

#### 20. PLAN NOT ALTERED FROM LOCAL FORM

By signing this Plan below, the Debtor and the Debtor's counsel certify that the Plan is the local form authorized by the Court and contains no non-standard provisions other than those in Paragraph 10.

21. <u>REASON(S) FOR AMENDMENT(S)</u> Set forth a brief, concise statement of the reason(s) for the am the proposed Plan payments, or if the Trustee so requests, file	
Signatures  x_/s/ Sean C. Paul  Signature of Attorney for Debtor(s)	Date:4/24/17
x/s/ Jillian May	Date: 4/24/17
Signature(s) of Debtor(s) (required if not represented by an attorney, otherwise optional)	Date:

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF ILLINOIS

In re:	)	
Jillian May	) Case No. 17-40308	
-	) Chapter 13	
Debtor(s)	)	
	) Judge Laura K. Gran	dy
	)	
	)	
	)	

# **CERTIFICATE OF SERVICE**

I, Sean C. Paul, do hereby certify that I served a copy of the Chapter 13 Plan on all parties on the attached list by causing the same to be mailed in a properly addressed envelope, postage prepaid, or by electronic notice through the court's ECF system, on or before the 5:30 p.m., on April 25, 2017.

/s/ Sean C. Paul Sean C. Paul 8917 Gravois Rd St. Louis MO 63123 314-827-4027 314-222-0619 FAX scp@pklawonline.com Label Matrix for local noticing

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U.S. Bankruptcy tourt

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301 W Main St

208 S Akard

301 W Main St Benton, IL 62812-1362 208 S Akard St Dallas, TX 75202-4206

Tue Apr 25 12:36:38 CDT 2017

Southern District of Illinois

Case 17-40308-1kg

Ace Cash Express 10004 Gravois Rd Saint Louis, MO 63123-4024 Ad Astra Recovery Serv 7330 W 33rd St N Ste 118 Wichita, KS 67205-9370 Advance America 4023 Kennett Pike Ste 154 Greenville, DE 19807-2018

(p)AMERICOLLECT INC PO BOX 2080 MANITOWOC WI 54221-2080

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

Cashnet USA 175 W Jackson Blvd Ste 1000 Chicago, IL 60604-2863

Check N Go 9016 Overland Plz Saint Louis, MO 63114-6122 Convergent Outsourcing 800 SW 39th St Renton, WA 98057-4975

8014 Bayberry Rd Jacksonville, FL 32256-7412

Erc

Evergreen Loans PO Box 834 Lac du Flambeau, WI 54538-0834 First Premier Bank 601 S Minnesota Ave Sioux Falls, SD 57104-4868 Genesis Financial d/b/a USA Web Cash 3175 Commercial Ave Ste 201 Northbrook, IL 60062-1924

King of Kash 8304 Wornall Rd Kansas City, MO 64114-5810 Lendup3/2017 237 Kearny St # 372 San Francisco, CA 94108-4502 Loan Now 3100 S Harbor Blvd Ste 180 Santa Ana, CA 92704-6872

Midland Credit Management PO Box 60578 Los Angeles, CA 90060-0578 National Credit Adjust PO Box 550 Hutchinson, KS 67504-0550 National Credit Adjusters PO Box 3023 Hutchinson, KS 67504-3023

(p)NATIONSTAR MORTGAGE LLC PO BOX 619096 DALLAS TX 75261-9096 Nc Financial 175 W Jackson Blvd Chicago, IL 60604-2863 Nhhelc/gsm&r PO Box 3420 Concord, NH 03302-3420

One Main Financial 601 NW 2nd St Evansville, IN 47708-1013 Personal Finance Co 609 Broadway St Mount Vernon, IL 62864-4143 RPM PO Box 1548 Lynnwood, WA 98046-1548

Receivable Solutions PO Box 206153 Dallas, TX 75320-6153 Regional Acceptance Co 11457 Olde Cabin Rd # 310 Saint Louis, MO 63141-7172

Rise Credit PO Box 101808 Fort Worth, TX 76185-1808 SSM St. Mary's PO Box 776236 Chicago, IL 60677-6236 Case 17-40308-lkg Doc 18 Filed 04/25/17 Page 11 of 11 relations of 11 center

Speedy Cash / Rapid Cash PO Box 780408 Wichita, KS 67278-0408 PO Box 66766 Saint Louis, MO 63166-6766

State Collection Servi 2509 S Stoughton Rd Madison, WI 53716-3314 Synchrony Bank
PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

The Cash Store c/o National Credit Adjusters PO Box 3023 Hutchinson, KS 67504-3023

Transworld Sys Inc/55 507 Prudential Rd Horsham, PA 19044-2308 United States Trustee Becker Bldg, Room 1100 401 Main St Peoria, IL 61602-1267 Valentine & Kebartas PO Box 325 Lawrence, MA 01842-0625

West County Radiology 11475 Olde Cabin Rd Ste 200 Saint Louis, MO 63141-7129 Jillian Evette May 908 S 26th St Mount Vernon, IL 62864-3023 Russell C Simon Chapter 13 Trustee 24 Bronze Pointe Swansea, IL 62226-1099

Sean C Paul PK Law 8917 Gravois Road St Louis, MO 63123-4623

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Americollect Inc PO Box 1566 Manitowoc, WI 54221-1566

Capital One 15000 Capital One Dr Richmond, VA 23238-1119 Nationstar Mortgage Ll 350 Highland Dr Lewisville, TX 75067-4177

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Nationstar Mortgage LLC

End of Label Matrix
Mailable recipients 42
Bypassed recipients 1
Total 43